

### U.S. Department of Justice

### Federal Bureau of Prisons

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THREE RIVERS, TEXAS 78071

### FACSIMILE INFORMATION

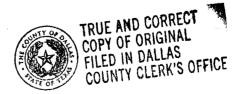
DATE:	August 10, 2004	
TO:	Dallas County Clerks Office	Attn: Records
10.		
PHONE:	(214) 653-5954	
z mond.		
FAX:	(214) 653-5986	
FROM:	CINDY NOLEN	
D.O.B.:	ESCAMILLA JR, JOSE ALPHONSO 09-03-1978	mind
	31452-077 DRIVING WHILE INTOXICATED UNLAWFULLY CARRYING A WEAPON	
MESSAGE WAS SEN	IMPNORD TO BE DALLAS CO	THE ABOVE INMATES JUDGEMENT. HE DUNTY. MATTER IS GREATLY APPRECIATED.
	YOUR ASSISTANCE IN THIS	A 'A
Thanks	CINDY	
		MA (MA)

NOTE: This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender which is protected by federal law and local federal court policy. The information is intend only for the use of the individual or entity named above. If you are not the intended recipient you are notified than any disclosure, copying, distribution of the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please notify us be telephone at (361) 786-3576, ext 241 to arrange for the return of this documents.

FAX (361) 786-5069

NUMBER OF PAGE (S): 1 COVER

M-032102 M-032107



CAUSE NO. MB-0321102-M

THE STATE OF TEXAS

VS.

JOSE ALFONSO ESCAMILLA, JR.

IN THE COUNTY CRIMINAL COURT of appeals #2

DALLAS COUNTY, TEXAS

## JUDGEMENT ON NEGOTIATED PLEA OF GUILTY OR NOLO CONTENDERE BEFORE: XX PRESIDING JUDGE / MAGISTRATE NO COMMUNITY SUPERVISION

DATE OF JUDGEMENTJUNE_4th, 2003		TERM	april	20	03
JUDGE PRESIDING: JUDGE BURSON	MAGISTRATE:				
ATTORNEY FOR STATE: MICHEAL MOSS	ATTORNEY FOR DEFENDANT:				
OFFENSE CONVICTED OF: DWI					
CLASS B MISDEMEANOR	DATE OFFENSE COM	IMITTED:	MARCH 13	, 2003	
CHARGING INSTRUMENT: INFORMATION / KNINCOM	KKMX PLEA: SUILTY	TNOTO CO	ONTENDERE		
FINDING OF COURT: GUILTY					
TERMS OF NEGOTIATED 90 days in jail PLEA BARGAIN: (IN DETAIL)	PLEA BARGAN FOLLOWED: Y				,
DATE SENTENCE IMPOSED	COST: YES	*MOXXXXX	xx		
jmrx June 4th, 2003 PUNISHMENT AND PLACE OF CONFINEMENT:		, e		· · · · · · · · · · · · · · · · · · ·	
OO days CONFINEMENT IN THE DALLAS COULD DATE TO COMMENCE: JUNE 4th, 2003	NTY JAIL AND A FINE (	OF \$	-0-		
CREDIT FOR TIME SERVED: XMK YES	FINE PROBATEI	D: <b>XXX</b> /	NO		
TX.C.C.P. COUNSELING FEE, IF APPLICABLE: \$ -0-	NOT TO EXCEED \$	500.00	TRUE AND	CORRECT	
RESTITUTION / REPARATION: 36586/NO IF YE ADDRESS OF VICTIM OR AGENCY TO COLLECT PAY	MENTS:	SHITY OF O	TRUE AND COPY OF OF OF OF OF OTHER	RIGINAL DALLAS CLERK'S OF	FICE
AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF A		· STATE OF	(0000		
CASE TO RUN: XXXXXXXXXXXXX CONCURREN	IT WITH ALL OTHER CA	ASES			
offense as shown above on the date as shown above, and that said defendant confined for the above named term in accordance with the provision by the reparation, if any, as set forth above. The Judge / Magistrate finds that the I	in person in open court. Where D y counsel, it waived the right to a jury trial in ting attorney named above. The ois plea. The information/indictment. If it suld follow or reject such agreement of the air accepted by the Judge / Ma Defendant guilty of the offense as sidered and recommended by the its sentenced to a term of imprison court appointed attorney or public pours in the property of the offense of the property appointed attorney or public process.	m writing and in consent and ap is shown above and. It plainly a gistrate and is a shown above a Magistrate the nment or fine to defender in the	not represented by n open court with a proval of the waive that there was a p appears to the Judg now entered of rec and that the offens that said Defendant or both, as set out his cause, if any, ar	the consent and the consent and the consent and the consent and the cord as the please was commit to be adjudged gabove, and shand restitution o	dant i approval was reement, that i of the ted by said uilty of the
If the Magistrate has heard this plea, the Judge has reviewed the of the negotiated plea agreement in this cause have been followed and hereb Defendant is hereby adjudged guilty of the offense as set out above and order shown above is hereby in all things approved and confirmed, and is hereby that the financial resources to enable the Defendant to offset any fines, court Attached to this judgment and incorporated by reference, are the Following the disposition of this cause, the Defendant's fingerpresincorporated by reference as a part of this judgment.	y adopts all findings, actions and ered punished in accordance with ordered into affect. The Court appropriate costs, expenses of legal services terms of any fee payment pursual	the recommendate proved the find and restitution to the Texas	ons of the Magistr dations of the Magistr or in the amount of Code of Criminal	ate in this caus gistrate. The jurate that the De ordered. Procedure, if a	dgment as fendant pplicable.
SIGNED AND ENTERED THIS 4th DAY OF	JUNE	, 20	03		
Professed and the sec			/ (		
Defendant's Texas Drivers Licenson is horeby suspended for a period 365	JUDGE, COUNTY CRE	MINAL CO	OURT		
days cursually to said conviction.	PALLAS COUNTY, TE	EXAS			

E STATE OF TEXAS VS. JOSE ALFONSO ESCAMILLA JR

ANY SHERIFF OR ANY CONSTABLE OF THE STATE OF TEXAS - GREETING

YOU ARE HEREBY COMMANDED, THAT YOU TAKE INTO CUSTODY, AND COMMIT TO THE IL OF YOUR COUNTY JOSE ALFONSO ESCAMILLA JR

O WAS ON 06/04/2003 , CONVICTED IN THE COURT OF CRIMINAL APPEALS 2
DALLAS COUNTY, TEXAS, OF DWI AND HIS PUNISHMENT
KED AT - 0 - , FINE AND 90 DAYS IMPRISON IMPRISONMENT, AND
DGMENT WAS ENTERED THEREFOR, TOGETHER WITH ALL COSTS OF SAID PROSECUTION
OUNTING TO A FURTHER SUM OF \$296.00 , AND YOU WILL SAFELY KEEP UNTIL
CH TIME AND ALL COSTS HEREIN ARE PAID AND SAID TERM OF IMPRISONMENT HAS
PIRED, OR UNTIL HE IS OTHERWISE DISCHARGED.

WITNESS MY OFFICIAL SIGNATURE, AND SEAL OF OFFICE AT DALLAS, DALLAS COUNTY, EXAS, AND ISSUED THE \_O4TH\_ DAY OF \_\_\_\_ JUNE\_, 2003

CYNTHIA FIGUEROA CALHOUN COURT OF CRIMINAL APPEALS 2

JUDGE BY JULY AMFUIL, DEPUT

FEES

FINE\_\_\_\_\_ - 0 - COST\_\_\_\_\_\$296.00 TOTAL\_\_\_\$296.00

SENTENCE TO BEGIN 05/23/03

IMPRISONMENT 90 DAYS IMPRISONMENT

CI, B. T. 3-13-03, 5-23-03T06-4-03, COST NOT CC/TIME

SHERIFF'S RETURN

	AND THIS DEFENDANT		A.D.2003, AND CONFIN	AND EXECUTED
	DAYS.	LIMS BOLY OF O	AND COMPLE	ING MIN 10
IL FOR	DAIS.		<u> </u>	
DEFENDANT	RELEASED THIS THE	8 22 DAY O	r <u>Juny</u>	A.D. 20_65
LO DAYS	GOOD TIME		( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	Section Commence of the Sectio
	CREDIT		SHERIFF, DALLAS	COUNTY, TEXAS
DAYS	I/P		The second of the second	1 A
	FOR FCC		ВУ	Int
			DEPUTY	



CAUSE NO. Mbo 3 - 211 02 DA! FILED COMPRY OF FOR YAS

2003 JUN -4 AM II: 53

THE STATE OF TEXAS

IN THE COUNTY CRIMINAL

VS.

COURT OF OF

Joy A. Escamilla

DALLAS COUNTY, TEXAS

### **CERTIFICATE OF THUMB PRINT**

	Defendant'shand
Right Thumb*	
This is to certify that the fingerprints abotaken at the time of the disposition of the	ove are the above-named Defendant's fingerprints above styled and numbered cause.
Did in Court this day of	Jue, 20 03
	Baliff/Deputy Sheriff
*Indicate here if print other than defendar	nt's right thumb print is placed above:
left thumb print	other, please specify
left/right index finger	

Revised 5/2002 FORM NO. M-130



Address

EC DEFENDANT Escamilla, Jose Alfonso Jr W M 09031978 **CHARGE DWI** 

> LOCATION DSO 4045 Weisenberger, Dallas, Tx

FILING AGENCY TX0570000 DATE FILED April 10, 2003 COMPLAINANT Thornton, B

C/C

SERVICE NO. ARREST NO. I. D. NO.

### **INFORMATION**

In the Name and by the Authority of the State of Texas.

NOW COMES THE CRIMINAL DISTRICT ATTORNEY of Dallas County, State of Texas, and presents

of Dallas County, State aforesaid, that one in and to the County Criminal Court

Escamilla, Jose Alfonso Jr

hereinafter styled Defendant, heretofore, on or about the 13 th day of March A.D., 2003

in the County of Dallas and State of Texas, did unlawfully

then and there unlawfully operate a motor vehicle in a public place, while intoxicated, in that the defendant did not have the normal use of his mental and physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, and any other substance into defendant's body and defendant had an alcohol concentration of at least 0.08,



against the peace and dignity of the state.

VTHUOD SAJJAO COUNTY CLERK

80:8 MA 41 99A & MyE

EC

SERVICE NO.	ARREST NO.	I. D. NO
C/C		
COMPLAINANT Thornton, B		MB0321102 VT#: 00745
FILING AGENC TX0570000	DATE FILED April 10, 2003	court (lpo # 2
ADDRESS 4045 Weisenberge	er, Dallas, Tx	LOCATION DSO
AKA:		
DEFENDANT Escamilla, Jose Al	fonso Jr W M 09031978	CHARGE DWI

### **AFFIDAVIT**

In the Name and by the Authority of the State of Texas.

PERSONALLY APPEARED before me the undersigned authority this affiant, who after being by me duly sworn, deposes and says your Affiant has good reason to believe and does believe that one

Escamilla, Jose Alfonso Jr

hereinafter styled Defendant, heretofore, on or about the

13 th day of March A.D., 2003

in the County of Dallas and State of Texas, did unlawfully

then and there unlawfully operate a motor vehicle in a public place, while intoxicated, in that the defendant did not have the normal use of his mental and physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, and any other substance into defendant's body and defendant had an alcohol concentration of at least 0.08,

TRUPY OF ORIGINAL COUNTY CLERK'S OFFICE COUNTY CLERK'S OFFICE

Against the peace and dignity of the state.

Sworn to and subscribed before me this the

11K day of Apric A.D., 20 03

Assistant Criminal District Attorney of Dallas County, Texas , } —

\_\_\_\_\_\_

Affiant.

THE STATE OF TEXAS)

#### AFFIANT FOR ARREST WARRANT OR CAPIAS

COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned affiant who, after being duly sworn by me, on oath stated:

My name is E. H. Duran, and I am a peace officer of the State of Texas.

I have good reason to believe and do believe that on or about the 13th day of March, 2003, one ESCAMILLA JR., JOSE ALFONSO did then and therein the County of Dallas, Texas, commit the offense of D.W.I. 1st M/B, a misdemeanor.

My belief is based upon the following facts and information:
B. W. Thornton, Trooper, Texas Department of Public Safety, a credible person, who participated in the investigation of the alleged offense, furnished to me, the affiant, and who knows or has reason to believe that the following facts are true and correct, on File, THE FOLLOWING INFORMATION:

### (PLEASE SEE THE BACK OF SHEET)

I believe this information furnished by a fellow Peace Officer is credible.

WHEREFORE, Affiant requests that an arrest warrant or Capias be issued for the above-accused individual in accordance with the law.

SUBSCRIBED AND SWORN TO BEFORE ME on this AFFIANT DAY OF March

RETHA M. STEWAM

RETHA M. STEWAM

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the 2/day of Notary Public, IN And For the individual accused herein.

MAGISTRATE'S DETERMINATION OF PROBABLE CAUSE

On this the 2/day of Notary Public, IN And For the issuance of an arrest warrant for the individual accused herein.

MAGISTRATE, IN AND FOR DALLAS COUNTY, TEXAS



- Case 3:06-cv-02248-O -BH Document 27-5 Filed 05/05/08 Page 8 of 40 PageID 747
- 15. ESCAMILLA also had a . The cell phone in his possession, but he rolled #911. He also was not robbed of his money or other valuables.
- After running a routine check on ESCAMILLA'S Texas drivers license #19405037, it was discovered that they were under Dept. Susp. Effective 10-12-02 due to expire on 04-10-03.
- 17. ESCAMILLA was then taken to Lew Sterritt. At Lew Sterritt ESCAMILLA was offered a breath test and took it with results of 0.127 and 0.117.
- 18. ESCAMILLA was then turned over to Dallas Sheriff Office for D.W.I. 1<sup>st</sup> M/B and D.W.L.S. Dept. Susp.M/B.
- 19. The charge of D.W.I. 1<sup>st</sup> M/B will be handled under M03-21102.

### **ARRESTING OFFICER**

B. W. THORNTON, #7062Texas Highway Patrol4001 President George Bush TurnpikePlano, TX 75093

VEHICLE: 1998 White Mercedes 4 door Texas registration ZHV 69J

**VEHICLE CONDITION:** Severe front-end damage also left back quarter.

**VEHICLE DISPOSITION:** Towed to Jordan's By Jordan's

WITNESS: Officer Robert Donahue, #245

801 Conover Dr.

Grand Prairie, TX 75051

(972) 237-8790

Officer S.G. Richardson, #2994

1400 S Lamar

Dallas, TX (214) 671-4242

Security Officer

Daniel Penderson

Dallas Baptist University

(214) 333-5305

**WEATHER:** Cloudy, Warm

ROAD CONDITION: Good, Concrete

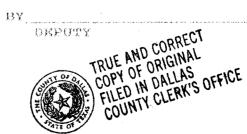
THORITION TO THE SHAPE SHAPE

#### CB504.A05678.R08708

### NOTICE OF CONVICTIONS

06/05/03

SE ALFONSO ESCAMILLA JR		_
	SSN)	
WEISENBERGER CITY DALLAS , TEXAS	75212 ZIP CODE	
9405037 BIRTHDATE 09 03 78 RACE W SEX M	<del></del>	
MITTED X MISDEMEANOR FELONY BOND FORFEITU	JRE	
MITTED DW I		<del></del>
13 03 CONVICTION DATE 06 04 03 PENALTY 90 DAYS 0 \$0.00 AND C	PROB	
MITTED IN TRANSPORTING HAZARDO MATERIAL YES YES	OUS	UNKNOW
DRIVER LICENSE OR OPERATING PRIVILEGE SUPENDED		
TE 06 04 03 ENDING DATE 06 02 04		
MUST INDICATE BEGINNING AND ENDING DATE OF SUSPENSION ON DRIVING WHILE INTOXICATED/ALCOH DXICATED/DRUGS AND INVOLUNTARY MANSLAUGHTER. ALL OTHER OFFENSES LEAVE SUSPENSION DATES BLA	•	7
n is automatic by operation of Law.		l l
N IS AUTOMATIC BY OPERATION OF LAW.		
DRUG EDUCATION PROGRAM REQUIRED		
		_
DRUG EDUCATION PROGRAM REQUIRED  ON PROGRAM  COMPLETED  DATE		
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DRUG EDUCATION PROGRAM REQUIRED  DATE  DWI EDUCATION PROGRAM  DEPORT DATE  DWI EDUCATION PROGRAM FOR REPEAT REQUIRED TO ATTEND EDUCTION PROGRAM FOR REPEAT SUCCESSFULLY COMPLETED  DATE  DATE  DATE  DATE  DATE  GRANTED DWI EDUCATION PROGRAM FOR REPEAT SUCCESSFULLY COMPLETED  DATE  GRANTED DWI EDUCATION PROGRAM EXTENSION  M	DATE OFFENDERS	ALLAS



CASE NUMBER MB0321102M FFENSE DWI REDUCED CHARGE

DATE 060403 TIME 130101

THE STATE OF TEXAS VS.

DEF ESCAMILLA JOSE ALFONSO JR BNO 03018869 DISPOSED BY PGBC	RACE W SEX M DOB 090378
SKNTENCE 90 DAYS TO H JAIL	APPRAL
SPECIAL CONDITION	MNT
ADDITIONAL CREDIT FOR TIME SERVED CI.B.T.3-13-03,5-23-03T06-4-03,6	OO COST SENTENCE TO BEGIN 052303
DEFENDANT ELECTED TO SERVE OUT	RNATIVE MEANS TO PAY FINE AND COST
CYNTHIA FIGUEROA CALHOUN	
COUNTY CLERK	RELEASE INFORMATION
DALLAS COUNTY, TEXAS	] REMARKS
BY SAMFORD J	
DEPUTY CLERK	

COORT OF CRIMINAL AFTER DALLAS COUNTY, TRXAS

I STATE OF TEXAS US. JOSE ALFONSO ESCAMILLA JE

ANY SHERIEF OR ANY CONSTABLE OF THE STATE OF TEXAS - GREETING

YOU ARE GEREST COMMANDED. THAT YOU TAKE INTO COSTODY. AND COMMIT TO THE CO. OF YOUR COUNTY JOSE ALFONSO ESCAMILLA JR.

DAGS ON 05/04/2003 . CONVICTED IN THE COURT OF CRIMINAL APPRAIS 2 DALLAS COUNTY. TRXAS. OF DWI . AND HIS PUNTSHMENT OF AND HIS PUNTSHMENT OF AND SMENT WAS RUTERED THEREFOR. TOGETHER WITH ALL COSTS OF SAID PROSECUTION DUNTING TO A FURTHER GUM OF \$296.00 . AND YOU WILL SAFELY KRMP UNTIL THE AND ALL COSTS HEREIN ARE PAID AND SAID TERM OF IMPRISONMENT HAS PURED. OR UNTIL ON IS OTHERWISE DISCHARGED.

WITWESS MY OFFICIAL SIGNATURE. AND SKAL OF OFFICE AT DALLAS, DALLAS COUNTY. EXAG. AND ESSUED THE 04TH DAY OF \_\_\_\_\_ JUNE\_, 2003

CYNTHIA RIGURROA CALHOUN COURT OF CRIMINAL APPRAIS 2

DEPUTY

DEPUTY

MENS

TRUE AND CORRECT

COPY OF ORIGINAL

FILED IN DALLAS

COUNTY CLERK'S OFFICE

COST 5296.00

TOTAL 5296.00

SENTENCE TO BEGIN 05/23/03

IMPELSOUMENT 90 DAYS IMPRISONMENT

Cl.B.T.3-13-03.5-23-03706-4-03.COST NOT CC/TIME

#### CHERIFF'S EXTURE

COLUMN TWO	ANG THIS DAY PROMITE OBURNDANT DAYS.	OF THE SUM OF \$	A.D. 20 . AND EXECUTED AND COMPINING HIM TO	a ·
OKERHOVRI.	RELEASED THIS THE	DAY	OFA.D. 20	e de la Norma de
DAYS DAYG	GOOD TIME CREDIT IVE FOR FCC		SHKRIFY, DALLAS COUNTY, TWO	

Case 3:06-cv-02248-O -BH Document 27-5 Filed 05/05/08 Page 12 of 40 PageID 751

CAUSE NO. \_MB-0321102-M

THE	STATE OF	TEXAS	
VS.			
OSE	ALFONSO	ESCAMILLA.	JR

days pursuant to said conviction.

FORM M-330 REVISED 2-8-2001

IN THE COUNTY CRIMINAL COU of appeals #2	R1
	OF
DALLAS COUNTY, TEXAS	

### JUDGEMENT ON NEGOTIATED PLEA OF GUILTY OR NOLO CONTENDERE BEFORE: XX PRESIDING JUDGE / \_\_\_\_\_ MAGISTRATE NO COMMUNITY SUPERVISION

DATE OF JUDGEMENT JUNE 4th, 200	<u>3</u>	TERM april 2	20
JUDGE PRESIDING: JUDGE BURSON	MAGISTRATE:		'à
ATTORNEY FOR STATE: MICHEAL MOSS	ATTORNEY FOR DEFENDANT:		
OFFENSE CONVICTED OF:	DWI		
CLASS B MISDEMEANOR	DATE OFFENSE COMM	MITTED: MARCH 13, 200	03
CHARGING INSTRUMENT: INFORMATION /	PLEA: GUILTY L	NOLO CONTENDERE	
FINDING OF COURT: GUILTY			
TERMS OF NEGOTIATED 90 days i	n 🎉 il PLEA BARGAIN	AGREEMENT	
PLEA BARGAIN: (IN DETAIL)	FOLLOWED: YE		
DATE SENTENCE IMPOSED junex June 4th, 2003	COST: YES/	<del>BODOCKXX</del>	
PUNISHMENT AND PLACE OF CONFINEMEN	IT:		
90 days CONFINEMENT IN THE DALL DATE TO COMMENCE: JUNE 4th, 2003	AS COUNTY JAIL AND A FINE OF		<u> </u>
CREDIT FOR TIME SERVED:	S FINE PROBATED:	YES NO CORRE	AL WE
TX.C.C.P. COUNSELING FEE, IF APPLICABLE	:: \$ -0- NOT TO EXCEED \$5	10.00 TRUE NE ORIGINAL	K'S OFFICE
RESTITUTION / REPARATION: ****** NO ADDRESS OF VICTIM OR AGENCY TO COLL	•	YES NO  TRUE NO CORRES  OO.00  TRUE NO CORRES  COPY OF UN DALL  FILED IN TO CLE	<u> </u>
AFFIRMATIVE FINDING OF FAMILY VIOLEN	NCE, IF APPLICABLE: YES / NO	STATE OF	^ - n <sub>1</sub>
CASE TO RUN: COMOLATIVEX/ CON	CURRENT WITH ALL OTHER CAS	ES	
On this day, set forth above, the above styled and nur above named attorneys and announced ready for trial. Defendar knowingly, intelligently, and voluntarily waived the right to repr Having been admonished of the right to a jury trial, the Judge or Magistrate, the Defendant's attorney, if any, and entered of record in the minutes of the court before the Defendar The Defendant entered the above plea to the charge of the Defendant was informed as to whether or not the Judge or M Defendant is mentally competent and said plea free and voluntar Defendant. After hearing evidence offered, the Judge / Magistra Defendant on the date set forth above.	nt appeared in person in open court. Where Deferesentation by counsel.  the Defendant waived the right to a jury trial in we the prosecuting attorney named above. The contract entered this plea.  Sontained in the information/indictment. If it is a lagistrate would follow or reject such agreement ray, the said plea is accepted by the Judge / Magistate finds the Defendant guilty of the offense as slagistrate.	riting and in open court with the consessent and approval of the waiver of jury shown above that there was a plea barg. It plainly appears to the Judge / Magistrate and is now entered of record as the nown above and that the offense was confagistrate that said Defendant be adjudged.	Defendant ent and approval y trial was ain agreement, istrate that ne plea of the committed by said
offense as shown above on the date as shown above, and that sai confined for the above named term in accordance with the provice reparation, if any, as set forth above. The Judge / Magistrate fin amount ordered.	sion by the court appointed attorney or public de	efender in this cause, if any, and restitu	ition or
If the Magistrate has heard this plea, the Judge has re of the negotiated plea agreement in this cause have been followe Defendant is hereby adjudged guilty of the offense as set out about shown above is hereby in all things approved and confirmed, and has the financial resources to enable the Defendant to offset any Attached to this judgment and incorporated by refere Following the disposition of this cause, the Defendant incorporated by reference as a part of this judgment.	ed and hereby adopts all findings, actions and recover and ordered punished in accordance with the dishereby ordered into affect. The Court approfines, court costs, expenses of legal services and once, are the terms of any fee payment pursuant to	commendations of the Magistrate in this recommendations of the Magistrate. Yed the finding of the Magistrate that the restitution or in the amount ordered to the Texas Code of Criminal Procedure.	is cause. The The judgment as the Defendant re, if applicable.
SIGNED AND ENTERED THIS 4th DAY OF	JUNE	,20 03	
	- A STATE OF THE PARTY OF THE P		•
			APPER CHAPTER TO THE PERSON OF
Defendant's Taxan rus	JUDGE, COUNTY CRIM	NAL COURT	
Defendant's Texas Drivers Licenson hereby suspended for a period 36 days pursuant to said conviction.	FALLAS COUNTY, TEX		

Cause No. M/332/102

2003 JUN -4 AM II: 53

THE STATE OF TEXAS

Vs. Jan A Escamilla

§ § IN THE COUNTY
CRIMINAL COURT NO. CARLEY AS DALLAS COUNTY, TEXAS

### TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL\*

I, judge of the trial court, certify this criminal case:

 is not a plea-bargain case, and the defendant has the right of appeal, [or]
is a plea-bargain case, but matters were raised by written motion filed and ruled on
before trial, and not withdrawn or waived, and the defendant has the right of
appeal [or]

is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal, [or]

is a plea-bargain case, and the defendant has NO right of appeal, [or] TRUE AND CN

the defendant has waived the right of appeal.

Date Signed

I have received a copy of this certification:

Defendant (if not represented by counsel)

Mailing Address:

Telephone #: Fax # (if any)

Judge

Defendant's Counsel Gutrin Barban

State Bar No.: 01697475

Mailing Address: 8344 2. L. Thomas they

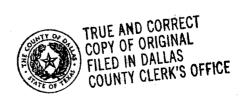
Ste 404 DUS 75228

Telephone #: 2 14/324-4417
Fax # (if any): 274/324-4446

<sup>\*</sup>A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case ---- that is, a case in which a defendant's plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant ---- a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's permission to appeal. TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).

ause No.	303-21182 W
THE STATE OF TEXAS  CYNTHIA FIGURATY  CONTRIBUTE  CONT	ROA CALHOUN IN THE COUNTY CRIMINAL COURT
VS. 2002 HM1-	AMII: 53 CA#2 OF
Jose Alfonso Escernilla	DALLAS COUNTY, TEXAS
COURT'S ADMONITION OF STA	LS NEZ AS TTUTORY AND CONSTITUTIONAL
RIGHTS AND DEFENDA	NT'S ADKNOWLEDGMENT
The Judge hereby admonishes you of the following Statute guilty/nolo contendere in this case pursuant to the Texas Code of C United States of America:  1) You are charged with the offense of	ory and Constitutional Rights prior to your entry of a plea of riminal Procedure and the Constitutions of the State of Texas and the
	not to exceed \$500 /\$2000 \\$4000; confinement in jail for a term not and imprisonment.
<ol> <li>If you are not a citizen of the United States of An charged may result in your deportation, the exclusive Federal law.</li> </ol>	should be by the prosecuting attorney is not binding on the Court. nerica, a plea of guilty or nolo contendere before me for the offense sion from admission to this country, or a denial of naturalization under
prepare for trial.	a right to have ten days from the date your attorney was appointed to
5) If you receive deferred adjudication and later it is guilty and the Judge can then set your punishment	found that you have violated your probation, you may then be found tanywhere within the range provided by law.
PLEA RECO	MMENDATION
[X days in jail	[] Restitution in the amount of
[] \$ fine plus costs of court	\$to:
[] Jail term probated for months	
[] Deferred adjudication formonths	TRUE AND CORRECT  TRUE AND CORRECT  TRUE AND CORRECT  OFFICE  TRUE AND CORRECT  TRUE AND CORRECT  TRUE AND CORRECT  COPY OF ORIGINAL  COPY OF ORIGINAL  FILED IN DALLAS  FILED IN CLERK'S OFFICE  COUNTY
Marie Land	FILED IN CLERK'S OFFICE COUNTY CLERK'S OFFICE COUNTY
	377 01
PLEA OF GUILTY	NOLO CONTENDERE
Comes now the Defendant herein, in person and by and thr trial with the approval of the State and Judge, and states that Defend and waives arraignment and reading of the information indictment a immediate disposition of this case by here and now entering a plea of	NOLO CONTENDERE  ough Defendant's attorney, if any, having waived the right to jury lant understands the charge, the penalty range for the offense charged and represents to the Judge that the Defendant desires to make
Comes now the Defendant herein, in person and by and three trial with the approval of the State and Judge, and states that Defendand waives arraignment and reading of the information indictment a immediate disposition of this case by here and now entering a plea of trial, the confrontation of witnesses, the right to present witnesses in law and fact.  I understand that under Federal Law if I am not a citizen of offense charged may result in my deportation, exclusion of my admit Wherefore, the Defendant asks the Judge to proceed immedenter judgment and sentence herein in the manner provided by law. presentence report is made, the Defendant hereby authorizes the Judge to proceed immedenter in the manner provided by law.	ough Defendant's attorney, if any, having waived the right to jury lant understands the charge, the penalty range for the offense charged and represents to the Judge that the Defendant desires to make of guilty note contendere. The Defendant waives the right to a jury a defendant's behalf and submits this case to the Judge on all issues of the United States of America, a plea of guilty note contender for the ssion to this country, or the denial of naturalization. diately on the filing hereof, to accept this plea and waivers, and to Defendant requests that a presentence report (not) be made. If a ge to inspect the report.
Comes now the Defendant herein, in person and by and thr trial with the approval of the State and Judge, and states that Defendand waives arraignment and reading of the information indictment a immediate disposition of this case by here and now entering a plea of trial, the confrontation of witnesses, the right to present witnesses in law and fact.  I understand that under Federal Law if I am not a citizen of offense charged may result in my deportation, exclusion of my admit Wherefore, the Defendant asks the Judge to proceed immedenter judgment and sentence herein in the manner provided by law. presentence report is made, the Defendant hereby authorizes the Judge I understand that I have a right to appeal this case to the Corecommendation as to sentencing, then after consulting with my attorious.	ough Defendant's attorney, if any, having waived the right to jury lant understands the charge, the penalty range for the offense charged and represents to the Judge that the Defendant desires to make of guilty nole contendere. The Defendant waives the right to a jury defendant's behalf and submits this case to the Judge on all issues of the United States of America, a plea of guilty nole contendere for the ssion to this country, or the denial of naturalization. diately on the filing hereof, to accept this plea and waivers, and to Defendant requests that a presentence report (not) be made. If a ge to inspect the report.
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Comes now the Defendant herein, in person and by and the trial with the approval of the State and Judge, and states that Defendent and waives arraignment and reading of the information indictment a immediate disposition of this case by here and now entering a plea of trial, the confrontation of witnesses, the right to present witnesses in law and fact.  I understand that under Federal Law if I am not a citizen of offense charged may result in my deportation, exclusion of my admit wherefore, the Defendant asks the Judge to proceed immedenter judgment and sentence herein in the manner provided by law. presentence report is made, the Defendant hereby authorizes the Judge I understand that I have a right to appeal this case to the Correcommendation as to sentencing, then after consulting with my atto and waive my right to appeal this case.  I have read the above and foregoing admonitions by the Judge in this document.  Attorney for Defendant & Dar Card Number OP Messer.  Filed: The admonition and waivers, filed with the clerk and presenthis day of The Advoncers of the correct of the corre	ough Defendant's attorney, if any, having waived the right to jury lant understands the charge, the penalty range for the offense charged and represents to the Judge that the Defendant desires to make officially note contendere. The Defendant waives the right to a jury a defendant's behalf and submits this case to the Judge on all issues of the United States of America, a plea of guilty note contendere for the sistence of the filing hereof, to accept this plea and waivers, and to Defendant requests that a presentence report (not) be made. If a ge to inspect the report. But of Appeals. If the trial court follows the terms of the State's riney, do expressly, voluntarily, knowingly, and intelligently give up alge regarding my rights. I understand the admonitions, and I have, my lawyer, if any, has explained to me all the admonitions given.  The State hereby consents to and approves the Defendant's waiver of jury and agrees to the above plea recommendation.

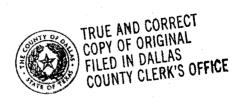
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OF AND H	EARING OF SAID W	RIT, IN ORDER TO	ABIDE FINA	L DETERMINATION	N THEREOF BY SAID C	OURT.
I, TOM BE	NSON, DO SWEAR 1	HAT I AM WORTH	at least ti	HE SUM OF ONE -	HOUS 94 & DOL	Lar, after
STATE FR	NG FROM MY PROI OM FORCED SALE	PERTY ALL THAT \ AND AFTER PAYM	VHICH IS EX	XEMPT BY THE C	ONSTITUTION AND LA THER INDIVIDUAL OF	WS OF THE
DEDIS AL	AN WEIGH SWIISEAI	NG ALL ENCUMBR	ANCES UPO	N MY PROPERTY	WHICH ARE KNOWN	TO ME AND
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IDAI IN	EKE AKE NO OUTST	ANDING JUDGEME	NTS IN DALI	LAS COUNTY, TEX	AS OR ELSEWHERE AC	FAINST THE
AFFIANT	AND THAT THE AF	FLANT MAKES THIS	S STATEMEN	IT FOR THE EXPR	ESS PURPOSE OF IND EREON, WELL KNOWI	UCING THE
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ZIP_Z	Clifford STAT	357710		CITY: DALLAS		TE: <u>TEXAS</u>
	LEPHONE 214	is it	My C	ZIP: 75207		214-744-1414
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WITNESS		DEPT. / AGENCY	A E S A	THE BY	DAY OF Makely	20_625
	D APPROVED BY MI	ETHIS (2) 03	en Tille Public (Texas kp. 9-16	12/1/	1.009	
DAY OF_					IN AND FOR DALLA	S COUNTY,
TIM ROWL	ES, SHERIFF, DALL	AS CO, TX	2006	DALLAS, TEXAS	NIEWDYDES 9	6,2006
BY		DEPUTY		MY COMMISSIO ACCOUNT <u>#830</u>	BOND ID# 62	2000
FUM F/E 0036 R	avised 09/02			ACCOUNT MOST	301417 110#	



Case 3:06-cv-02248-O -BH Document 27-5 Filed 05/05/08 120 363 40 PageID 455 WARRANT OF ARREST AND DETENTION

## DALLAS COUNTY, TEXAS

☐ FELONY ☐ MISDEMEANOR				
BOND AMOUNT: \$ 5000 - 020925				
COURT NUMBER: WARRANT NI				LD
The State of Texas vs. ESCAMILLA JR., JOSE ALFONSO	JOSE	ALFO	NSO	JR₋
Arrest Status: JAILED BMD	_			·
Race <u>H</u> Sex <u>M</u> DOB 09-03-78 HT	W 1 }	I.D. Assign	DATE	
Res. Add.: 4045 WEISENBERGER DALLAS, TX 75212 Bus. Add	V	WRAW TCIC	H/s	K
Name of Bus.: DL NO.: 19405037		NCIC		
Complainant: B.W. Thornton, Texas Highway Patrol, North Texas Tollway Authority Plano, T.	1 X 75093	Rgn 3		<u></u>
Date of Offense: 03-13-03  Date Complaint Filed: 03-13-03		Post		
Warrant of Arrest Issued To: DSO/DPS 4001 President George Bush Turnpike Plano, TX 7509		,		
IN THE NAME OF THE STATE OF TEXAS TO ANY SHERIFF OR OTHER PEACE OFFICE TEXAS – GREETINGS:	R OF T	HE ST	ATE O	)F
YOU ARE HEREBY COMMANDED to take(instanter) the body of: ESCAMIL ALFONSO	LA JR.,	JOSE		
hereinafter called the accused, and him safely keep so that he may be dealt with according to law accused to answer to the State of Texas for an offense against the laws of the said State, namely:	, and to	hold th	e B	
of which misdemeanor offense he is accused by written complaint, made under oath that has been	ı present	ed to r	ne and	
that is by this reference incorporated herein for all purposes.  WITNESS BY SIGNATURE THISDAY OF			COUNTY	
MAGISTRATE, IN AND FOR DALL	LAS COI	 UNTY,	TEXA:	- S



Case 3:06-cv-02248-O -BB	Document 27-5 Filed 05/0	05/08 Page 17 of 40 PageID 756
COUNTY CRIMINAL COURT	1 of Apps. # 2	TODAY'S DATE 4 129103
133 North Industrial		
Dallas, Texas 75207		STATE OF TEXAS VS.
(214) 653-		1
		JOSE ESCAMILLA
CAUSE NO. MO 3 - 211-03	rw <u>I</u>	Defendant
MB03-211-0	3 m	
TO THE HONORABLE JUDGE		
	d cause being set on the docket of	this Court, comes now the undersigned counse te for the following purpose:
RESET DATE:/	4 1 03	пме::
Announcement (Defense h	as received a recommendation	from the State)
•		tigate Restitution) DA initial
	eed to file SR-22 filed a	
Plea of Guilty (Agreed)	ced to the Six-22 mea.	and awaring oromanoo rome.
	Punishment with witnesses	9 ves no
		yesno
D 1 Tr. 1		
		***************************************
	earing Signature of Court PO	
Jury Trial  Trial Pafara the Court	- 11.41	TRUE AND CORRECT
Trial Before the Court	BREATH TOST 117	COPY OF ORIGINAL
Motion to Suppress		COPY OF ORIGINAL FILED IN DALLAS COUNTY CLERK'S OFFICE
Motion to Quash	•	COUNTY COUNTY
Pre-Trial Hearing, please s		DA initial
	· · · · · · · · · · · · · · · · · · ·	_DA initial
Restitution on checks		
Felony pending - felony		
Arraignment (Defendant	must be present)	
Other, specify		
$1/1$ . $\wedge$		
1 My	Recommendation by State	or Defendant to
Counsel for Defense or Pro Se	Probation officer:	Hire Attorney
1		
C. M. BANBARE		Reset IN
Please print name of Counsel		- Reset IN  ADDANCE OF  court Date
Defendant in court		ADDANCE
		court DATE
Phone (214) 324-4417		Defendant
Bar # 016 17475		

Form 520

Revised 7/23/01

**Defendant's Request for Action** 

		App College
	NO. MO3.	211-02
STATE OF TEXAS	§	IN THE COUNTY CRIMINAL 1:03
/S.	\$ \$ \$ \$ \$	COURT OF APPEALS NO. 2
Jose Escemille Ja	` <u>.                                    </u>	DALLAS COUNTY, TEXAS
STATE	'S SENTENCE RI	ECOMMENDATION
TO THE HONORABLE JUI	OGE OF SAID CO	OURT:
District Attorney BILL HILL  15 day of April  conditioned on the defendant	, in the above styl , 2003, having no crimin	AS, by and through Dallas County Criminal ed and numbered cause and on this the makes this recommendation of punishment al record or pending cases other than those
isted below. This is not an a	nnouncement of r	eadiness for trial.
CHARGE: DWI (Box		eadiness for trial.
CHARGE: DWI (BO	(TII. HO	Stuff
CHARGE: DWI (BOO	(TII. HO	Mr. Daxton Martin
CHARGE: DWI (Book	(TII. HO	Stuff
CHARGE: DWI (BOO	90 days	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002
CHARGE: DWI (BOX)  REC: 180/2+ * 1000  67	Life Skills Anti-theft Program	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002  Register as a Sex Offender Sex Offender Class
CHARGE: DWI (BOX)  REC: 180/2+ * 1000  51	Life Skills Anti-theft Program Drug / Alcohol Evalua	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002  Register as a Sex Offender Sex Offender Class tion DNA sample
CHARGE: OWI (BOX)  REC:  180/27 * 1000	Life Skills Anti-theft Program Drug / Alcohol Evalua Urinalysis Testing Psychiatric Evaluation	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002  Register as a Sex Offender Sex Offender Class DNA sample X Judge's Conditions Stay Away Order
CHARGE: OWI (800)  REC:  180/21 * 1000	Life Skills Anti-theft Program Drug / Alcohol Evalua Urinalysis Testing Psychiatric Evaluation Anger Counseling	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002  Register as a Sex Offender Sex Offender Class tion DNA sample X Judge's Conditions Stay Away Order Affirmative Finding of Family Violence
CHARGE: OWI (BOX)  REC:  180/27 * 1000	Life Skills Anti-theft Program Drug / Alcohol Evalua Urinalysis Testing Psychiatric Evaluation	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002  Register as a Sex Offender Sex Offender Class DNA sample X Judge's Conditions Stay Away Order Affirmative Finding of Family Violence Family Violence Counseling
CHARGE: OWI (800)  REC:  180/21 4 1000  V.I.P.  C.A.T.S.  Interlock  Days as a Condition  Repeat Offender  Proper License  Valid Insurance	Life Skills Anti-theft Program Drug / Alcohol Evalua Urinalysis Testing Psychiatric Evaluation Anger Counseling GED / H.S. Diploma Forfeit Weapon + WE	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002  Register as a Sex Offender Sex Offender Class DNA sample X Judge's Conditions Stay Away Order Affirmative Finding of Family Violence Family Violence Counseling ST Prog. Restitution of \$
CHARGE: DWI (800)  REC: 180/2+ 4 1000  C.A.T.S.	Life Skills Anti-theft Program Drug / Alcohol Evalua Urinalysis Testing Psychiatric Evaluation Anger Counseling GED / H.S. Diploma Forfeit Weapon + WE	Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002  Register as a Sex Offender Sex Offender Class DNA sample X Judge's Conditions Stay Away Order Affirmative Finding of Family Violence Family Violence Counseling

<sup>\*</sup> As a condition of this plea bargain, the Defendant will submit to fingerprinting by the Clerk of the Court.

<sup>\*</sup> This Recommendation is a Pre-Trial Recommendation.

case 3:06-cv-02248-O ε5BH Document 27-5 Filed 05/05/08 Page 19ε0f-40-εPageID 758						
LN	ARC RS	DOB	CASE/BOND	CT CHARGE DISP		
OJ ESCAMILLA JOSE	WМ	878090	F-9652623	FI THEFT 1,500 R& JGSA		
OZ ESCAMILLA JOSE ALFONSO	WM	090378	WB073PP35	MH EVADE ARREST/D PGBC		
OZNOJJA JZOL ALJIMAJZJ ED	WM	090378	F-9755456	MZIG PA3W HORP ZZOP IT		
O4 ESCAMILLA JOSE ALFONSO JR	e wm	090378	WB0357705	MM DWI		
OS ESCAMILLA JOSE ALFONSO JR	R WM	090378	WB0357703	MW DMFZ\INA		
OF ESCAMILLY 102E VILLA 1	R WM	090378	F-0020647	FS POSS CS INT DE PGJG		

\*\*\* END OF RECORDS RETRIEVED \*\*\*



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# Case 3:06-cv-02248-O -BH Document 27-5 Filed 05/05/08 Rage 20 of 40 PageID 759 WA NT OF ARREST AND DETE ON DALLAS COUNTY, TEXAS

☐ FELONY ☐ MISDEMEANOR
BOND AMOUNT: \$ 5000
COURT NUMBER: WARRANT NUMBER: M03-21102
The State of Texas vs. ESCAMILLA JR., JOSE ALFONSO
Arrest Status: JAILED
Race <u>H</u> Sex <u>M</u> DOB 09-03-78 HT WT
Res. Add.: 4045 WEISENBERGER DALLAS, TX 75212 Bus. Add.
Name of Bus.: DL NO.: 19405037
Complainant: B.W. Thornton, Texas Highway Patrol, North Texas Tollway Authority Plano, TX 75093
Date of Offense: 03-13-03 Date Complaint Filed: 03-13-03
Warrant of Arrest Issued To: DSO/DPS 4001 President George Bush Turnpike Plano, TX 75093
IN THE NAME OF THE STATE OF TEXAS TO ANY SHERIFF OR OTHER PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:
YOU ARE HEREBY COMMANDED to take(instanter) the body of: ESCAMILLA JR., JOSE ALFONSO
hereinafter called the accused, and him safely keep so that he may be dealt with according to law, and to hold the accused to answer to the State of Texas for an offense against the laws of the said State, namely: D.W.I. 1 <sup>ST</sup> M/B
of which misdemeanor offense he is accused by written complaint, made under oath that has been presented to me and
that is by this reference incorporated herein for all purposes.
WITNESS BY SIGNATURE THIS Of DAY OF Apric, 2003.

MAGISTRATE, IN AND FOR DALLAS COUNTY, TEXAS



¢ BNCRCase 3:06-cv-02248 45 R IBE COSCUMENT 27-5, WFITE 05/05/08 Page 21 of 40 PageID 760
ECEIPT NUMBER 03011208 RECEIPT DATE 03 13 03 AMOUNT 0000000 00
OND MOBELLOSO TYPE CASE COURT ID 9Z BOOK NO DBD18869
'AYER NAME ACT QUICK BAIL BONDS PAYER PHONE DOD DODDDDD
DDRESS 515 N. INDUSTRIAL BL CITY DALLAS STATE TX ZIP 75207
PEFENDANT NAME ESCAMILLA JOSE ALFON RACE H SEX M DOB 09 03 1978
DDRESS 4045 WEISENBERGER CITY DALLAS STATE TX ZIP 00000
CHARGE DWI BONDSMAN NO 830
** COUNTY CLERK ACCOUNT AMOUNT * DIST CLERK ACCOUNT AMOUNT *****
TAPIAS FINE
DUT OF COUNTY
JP COURTS
30NDSMAN LISC FEE —————
FAX BOND FEE
SPECIAL FUND
CURRENCY 0000000 00 SILVER 0000000 00 BM CHECK 0000000 00
REMARKS CHG DWI 90321102Z
ID 6308 TIME 1255
REASON DEPUTY REGISTER D2

NEXT

INQUIRY



3 STATE OF TEXAS VS. JOSE ALFONSO ESCAMILLA JR

ANY SHERIFF OR ANY CONSTABLE OF THE STATE OF TEXAS - GREETING

YOU ARE HERRBY COMMANDED. THAT YOU TAKE INTO CUSTODY, AND COMMIT TO THE IL OF YOUR COUNTY JOSE ALFONSO ESCAMILLA JR

O WAS ON 06/04/2003 . CONVICTED IN THE COURT OF CRIMINAL APPEALS 2 DALLAS COUNTY, TEXAS, OF DWLS/INV AND HIS PUNISHMENT KED AT \$100.00 . FINE AND 30 DAYS IMPRISON IMPRISONMENT, AND DGMENT WAS ENTERED THEREFOR, TOGETHER WITH ALL COSTS OF SAID PROSECUTION DUNTING TO A FURTHER SUM OF \$281.00 . AND YOU WILL SAFELY KEEP UNTIL CH TIME AND ALL COSTS HEREIN ARE PAID AND SAID TERM OF IMPRISONMENT HAS PIRED, OR UNTIL HE IS OTHERWISE DISCHARGED.

WITNESS MY OFFICIAL SIGNATURE, AND SEAL OF OFFICE AT DALLAS, DALLAS COUNTY, EXAS, AND ISSUED THE \_O4TH\_ DAY OF \_ JUNE\_, 2003

CYNTHIA FIGUEROA CALHOUN COURT OF CRIMINAL APPEALS 2

BY July

DEPUTY

4

JUDGE

FERS

FINE\_\_\_\_\$100.00 COST\_\_\_\$281.00 TOTAL \$381.00 TRUE AND CORRECT COPY OF ORIGINAL FILED IN DALLAS COUNTY CLERK'S OFFICE

SENTENCE TO BEGIN 05/23/03

IMPRISONMENT 30 DAYS IMPRISONMENT

CI.B.T.3-13-03.5-23-03 TO 6-4-03, COST NOT CC/TIM

SHERIFF'S RETURN

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DAYS I/P DAYS FOR FCC					BY	Smy

### CB504.A05678.R08708

## NOTICE OF CONVICTIONS

06/05/03

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DALLAS COUNTY, TEXAS

SKQ 0006

CASE NUMBER MB0321103M OFFENSE DWLS/INV REDUCED CHARGE DATE 060403 TIME 125529

THE STATE OF TEXAS VS.

DEF ESCAMILLA JOSE ALFONSO JR

BNO 03037986

RACE W SEX M DOB 090378

DISPOSED BY PGBC	
SENTENCE 30 DAYS TO H JAIL	APPEAL
SPRCIAL CONDITION	MNT
ADDITIONAL CREDIT FOR TIME SERVED CI,B.T.3-13-03,5-23-03_TO_6-4-03,COS REMARKS DEFENDANT WAS GIVEN ALTERNATI	IVE MEANS TO PAY FINE AND COST
CYNTHIA FIGURROA CALHOUN COUNTY CLERK DALLAS COUNTY, TEXAS BY SAMFORD J DEPUTY CLERK	RELEASE INFORMATION ] REMARKS ] ] ]



THE STATE OF TEXAS  SIGNEY ALPONSO ESCAMILLA, JR.  IN THE COUNTY CRIMINAL COURT OF ADDRESS ALPONSO ESCAMILLA, JR.  JUDGEMENT ON NEGOTIATED PLEA OF GUILTY OR NOLO CONTENDERS BEFORE:  PRESIDING JUDGE/ MAGISTRATE  NO COMMUNITY SUPERVISION  DATE OF JUDGEMENT JUNE 4th, 2003  TERM APRIL 20 03  JUDGE PRESIDING: JUDGE	Case 3:06-cv-02248-O -BH Document 27-5 F	iled 05/05/08 Page 25 of 40 PageID 764
JUDGE ALPONSO ESCAMILIA, JR.  JUDGEMENT ON NECOTIATED PLEA OF GUILTY ON NOLO CONTENDERE BEFORE: *** PRESIDING JUDGE / MAGISTRATE  NO COMMUNITY SUPERVISION  DATE OF JUDGEMENT JUNE 4th, 2003  TERM APRIL 20 03  JUDGE PRESIDING: MAGISTRATE: JUDGE M	CAUSE NO. MB-032	1103-M
DALLAS COUNTY, TEXAS  JUDGEMENT ON NEGOTIATED PLEA OF GUILTY OR NOLO CONTENDERE BEFORE: ** PRESIDING JUDGE / MAGISTRATE  NO COMMUNITY SUPERVISION  DATE OF JUDGEMENT JUNE 4th, 2003 TERM APRIL 20 03  JUDGE PRESIDING: MAGISTRATE:  JUDGE PRESIDING: MAGISTRATE:  MICHEAL MOSS FOR DEFENDANT:  OFFENSE CONVICTED OF: DMLS/INV.  CLASS ** MISDEMEANOR DATE OFFENSE COMMITTED: MARCH 13th, 2003  CHARGING INSTRUMENT: INFORMATION / NORTHWENT PLEA: GUILTY AND LO CONTENDERE  FINDING OF COURT: GUILTY  TERMS OF NEGOTIATED 30 days in jail PLEA BARGAIN AGREEMENT  FILEA BARGAIN: (IN DETAIL) \$100.00 fine + costs  FOLLOWED: YES / NOCXXX  DATE SENTENCE IMPOSED  JUNE 4th, 2003  COST: YES / NOCXXX  DATE SENTENCE IMPOSED  JUNE 4th, 2003  CREDIT FOR TIME SERVED: YES FINE PROBATED: NESS / NO  TX.C.C.P. COUNSELING FEE, IF APPLICABLE: \$ -O - NOT TO EXCEED \$500.60  RESTITUTION / REPARATION: **WES / NO IF YES, NAME OF VICTIM: ADDRESS OF VICTIM OR AGENCY TO COLLECT PAYMENTS:  AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: **XXXX / NO  CASE TO RUN: **XXXXXXX X CONCURRENT WITH ALL OTHER CASES  **AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: XXXX / NO  CASE TO RUN: **XXXXXXX X CONCURRENT WITH ALL OTHER CASES  **AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: XXXX / NO  CASE TO RUN: **XXXXXXX X CONCURRENT WITH ALL OTHER CASES  **AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: XXXX / NO  CASE TO RUN: **XXXXXXX X CONCURRENT WITH ALL OTHER CASES  **THE PERGUADRY was add unsomated end for site. Development payment of percent and approved of the waiver of jury trial unsome and approved of the waiver of jury trial unsome and unsome of the ball of the site of the shades of the ball of the site of the shades of the site of the shades of the ball of the site of the shades of the site of the shades of the shades of the shades of the shades of the ball of the shades o	VS. *	
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ATTORNEY FOR STATE: MICHEAL, MOSS ATTORNEY FOR DEFENDANT:  OFFENSE CONVICTED OF: DWLS/INV.  CLASS B MISDEMEANOR DATE OFFENSE COMMITTED: MARCH 13th, 2003  CHARGING INSTRUMENT: INFORMATION / NANCONNEXT PLEA: GULTY MOLO CONTENDERE  FINDING OF COURT: GUILTY  FERMS OF NEGOTIATED 30 days in jail PLEA BARGAIN AGREEMENT  PLEA BARGAIN: (IN DETAIL) \$100,00 fine + costs FOLLOWED: YES / NOXXX  DATE SENTENCE IMPOSED COST: YES / NOXXXX  DATE SENTENCE IMPOSED COST: YES / NOXXXX  DATE SENTENCE IMPOSED COST: YES / NOXXXX  DATE TO COMMENCE: JUNE 4th, 2003  PUNISHMENT AND PLACE OF CONFINEMENT:  30 days CONFINEMENT IN THE DALLAS COUNTY JAIL AND A FINE OF \$ 100.00  DATE TO COMMENCE: JUNE 4th, 2003  TX.C.C.P. COUNSELING FEE, IF APPLICABLE: \$ -0 NOT TO EXCEED \$500.00  RESTITUTION / REPARATION: XPB / NO IF YES, NAME OF VICTIM: ADDRESS OF VICTIM OR AGENCY TO COLLECT PAYMENTS:  AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: XXXXS / NO  CASE TO RUN: XXXXIVECXIVIXXXX CONCURRENT WITH ALL OTHER CASES  On this day, set forth above, the above sysled and numbered cause was called for trial. The State of Texas and Defendant appeared by and through the above samed altorneys and amonanced ready for trial. Dictadant appeared in person in open court. Where Defendant was not represented by counsed. Defendant transverse and amonanced ready for trial. Dictadant appeared in person in open court. Where Defendant was not represented by counsed. Defendant transverse and amonanced ready for trial. Dictadant appeared in person in open court. Where Defendant was not represented by counsed. Defendant transverse and approved of the lodge of Magistrate, the Defendant stansverse and approved of the washes of piny trial was entered of record in the minutes of the court before the Defendant content the and played and purpose of the surface of piny trial was entered of record in the minutes of the court before the Defendant content that all played for the surface of piny trial was entered of record in the minutes of the court before the Defendant transverse	BEFORE: XX PRESIDING JUDG	GE / MAGISTRATE
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DATE TO COMMENCE: JUNE 4th, 2003  CREDIT FOR TIME SERVED: YES FINE PROBATED: XXX / NO  TX.C.C.P. COUNSELING FEE, IF APPLICABLE: \$ -0- NOT TO EXCEED \$500.00  RESTITUTION / REPARATION: XXX / NO IF YES, NAME OF VICTIM: ADDRESS OF VICTIM OR AGENCY TO COLLECT PAYMENTS:  AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: XXX / NO  CASE TO RUN: XXX / NO		
TX.C.C.P. COUNSELING FEE, IF APPLICABLE: \$ -0- NOT TO EXCEED \$500.00  RESTITUTION / REPARATION: XXXX NAME OF VICTIM: ADDRESS OF VICTIM OR AGENCY TO COLLECT PAYMENTS:  AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: XXX S / NO  CASE TO RUN: XXXXXXXXXXXXX CONCURRENT WITH ALL OTHER CASES  On this day, set forth above, the above styled and numbered cause was called for trial. The State of Texas and Defendant appeared by and through the above named attorneys and announced ready for trial. Defendant appeared in person in open court. Where Defendant was not represented by counsel, Defendant knowingly, intelligently, and voluntarily waived the right to a jury trial, the Defendant waved the right to a jury trial, the Defendant waved the right to a jury trial, the Defendant waved the right to a jury trial, the Defendant waved the right to a jury trial in writing and in open court with the consent and approv of the Judge or Magistrate, the Defendant's attorney, if any, and the prosecuting attorney named above. The consent and approval of the waiver of jury trial was entered of record in the minutes of the court before the Defendant entered this plea.  The Defendant tentered the above plea to the charge contained in the information/indictment. If it is shown above that there was a plea bargain agreement, the Defendant was informed as to whether or not the Judge or Magistrate would follow or reject such agreement. It plainly appears to the Judge / Magistrate that Defendant is mentally competent and said plea free and voluntary, the said plea is accepted by the Judge / Magistrate and is now entered of record as the plea of the Defendant After hearing evidence offered, the Judge / Magistrate finds the Defendant guilty of the offense as shown above and that the offense was committed by se Defendant on the date set forth above.  It is, therefore, ordered and decreed by the Judge or	DATE TO COMMENCE:	AND A FINE OF \$100.00
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If the Magistrate has heard this plea, the Judge has reviewed the findings, actions, and recommendations of the Magistrate in this cause, finds that the term of the negotiated plea agreement in this cause have been followed and hereby adopts all findings, actions and recommendations of the Magistrate in this cause. The	above named attorneys and announced ready for trial. Defendant appeared in person in a knowingly, intelligently, and voluntarily waived the right to representation by counsel.  Having been admonished of the right to a jury trial, the Defendant waived the of the Judge or Magistrate, the Defendant's attorney, if any, and the prosecuting attorney entered of record in the minutes of the court before the Defendant entered this plea.  The Defendant entered the above plea to the charge contained in the informati the Defendant was informed as to whether or not the Judge or Magistrate would follow or Defendant is mentally competent and said plea free and voluntary, the said plea is accept Defendant. After hearing evidence offered, the Judge / Magistrate finds the Defendant go Defendant on the date set forth above.  It is, therefore, ordered and decreed by the Judge or considered and to offense as shown above on the date as shown above, and that said defendant is sentenced confined for the above named term in accordance with the provision by the court appoint reparation, if any, as set forth above. The Judge / Magistrate finds that the Defendant has amount ordered.  If the Magistrate has heard this plea, the Judge has reviewed the findings, active the sentence of the provision of the findings, active the Magistrate has heard this plea, the Judge has reviewed the findings, active the provision of the findings of the provision of the findings of the finding of the findings of the finding of the finding of the finding of the find	right to a jury trial in writing and in open court with the consent and approval named above. The consent and approval of the waiver of jury trial was fon/indictment. If it is shown above that there was a plea bargain agreement, reject such agreement. It plainly appears to the Judge / Magistrate that ed by the Judge / Magistrate and is now entered of record as the plea of the uilty of the offense as shown above and that the offense was committed by said recommended by the Magistrate that said Defendant be adjudged guilty of the to a term of imprisonment or fine or both, as set out above, and shall be ed attorney or public defender in this cause, if any, and restitution or set the financial resources to enable the Defendant to offset said costs in the

betendant is nereby adjudged guilty of the offense as set out above and ordered punished in accordance with the recommendations of the Magistrate. The judgment as shown above is hereby in all things approved and confirmed, and is hereby ordered into affect. The Court approved the finding of the Magistrate that the Defendant has the financial resources to enable the Defendant to offset any fines, court costs, expenses of legal services and restitution or in the amount ordered.

Attached to this judgment and incorporated by reference, are the terms of any fee payment pursuant to the Texas Code of Criminal Procedure, if applicable. Following the disposition of this cause, the Defendant's fingerprint was placed upon a Certificate of Fingerprint. Said certificate is attached hereto and is incorporated by reference as a part of this judgment.

SIGNED AND ENTERED THIS 4th DAY OF \_\_ JUDGE, COUNTY CRIMINAL COURT DALLAS COUNTY, TEXAS

## Cause No. M 1303-21103

THE STATE OF TEXAS § IN THE COUNTY
VS. Jose A. Example § CRIMINAL COURT NO. CAPE Z DALLAS COUNTY, TEXAS
TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL*
I, judge of the trial court, certify this criminal case:
is not a plea-bargain case, and the defendant has the right of appeal, [or]
is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial, and not withdrawn or waived, and the defendant has the right of appeal, [or]
is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal, [or] is a plea-bargain case, and the defendant has NO right of appeal, [or]
is a plea-bargain case, and the defendant has NO right of appeal, [or]
the defendant has waived the right of appeal.
Judge Date Signed
I have received a copy of this certification:  Defendant (if not represented by counsel)  Mailing Address:  Telephone #:  Fax # (if any)  Defendant's Counsel Cyultuin Balance  State Bar No.: 0/677475  Mailing Address: 8344 & L. Thompton Fay  Telephone #:  State Bar No.: 0/677475  Mailing Address: 8344 & L. Thompton Fay  Telephone #: 244/324 4447  Fax # (if any): 244/324 - 4440
*A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. In a plea bargain case that is, a case in which a defendant's plea was guilty or nolo contenders and the punishment did not exceed the punishment recommended by the

Revised 5/2002 FORM NO. M-130

Attorney for Defendant & Bar Card Number

The State hereby consents to and approves the Defendant's waiver of jury and agrees to the above plea recommendation.

Assistant District Attorney & Bar Card Number

The admonition and waivers, filed with the clerk and presented to the Judge are considered, approved and granted

prosecutor and agreed to by the defendant ---- a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court's

permission to appeal. TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).

Book Case 3:06-cv-02248-0	-BH Document 27-5	Filed 05/05/08	Page 27 of 40° Rag	gelD 766
03037986	WARRANT	OF ARREST		
CAUSE NO.: M-0321103 M	THE STATE OF T	EXAS VS.: ESCAI	MILLA JOS <b>ES AUS</b> O	CALHOUN S AM 9: 15
TO ANY PEACE OFFICE	ER OF THE STATE C	F TEXAS CREET	ING: Of St. ORIVER	AM 9: 15
YOU ARE HEREBY COMMAND!	ED TO ARREST		La 879698	DOURT S
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STATE OF TEXAS

BNO 03097994 LAI# 0774990

COUNTY OF DALLAS

NO.

I, JANET W. LUSK

, OF DALLAS COUNTY, TEXAS, SITTING AS

A MAGISTRATE, DO HEREBY CERTIFY THAT ON THIS, THE 24TH DAY OF MAY

, 2003,

AT 0733 AM, SITTING

AT 111 COMMERCE, CITY OF DALLAS, DALLAS COUNTY, TEXAS

AFFEARED ESCAMILLA JOSE

H/M 09/03/78 BEING A PERSON

UNDER ARREST, AND THAT I HAVE IN CLEAR LANGUAGE INFORMED THE PERSON ARRESTED OF THE ACCUSATION AGAINST HIM AND OF ANY AFFIDAVIT FILED HEREWITH, AND OF HIS RIGHT TO RETAIN COUNSEL, AND OF HIS RIGHT TO THE APPOINTMENT OF COUNSEL IF HE IS INDIGENT AND CANNOT AFFORD COUNSEL, AND OF HIS RIGHT TO REMAIN SILENT, AND OF HIS RIGHT TO HAVE AN ATTORNEY PRESENT DURING ANY INTERVIEW WITH PEACE OFFICERS OR ATTORNEYS REPRESENTING THE STATE, AND OF HIS RIGHT TO TERMINATE THE INTERVIEW AT ANY TIME, AND OF HIS RIGHT TO HAVE AN EXAMINING TRIAL.

- I INFORMED THE PERSON ARRESTED THAT HE DOES NOT HAVE TO MAKE ANY STATE-MENT AT ALL, AND THAT ANY STATEMENT MADE BY HIM MAY BE USED IN EVIDENCE AGAINST HIM ON HIS TRIAL FOR THE OFFENSE CONCERNING WHICH THE STATEMENT IS MADE.
- I INFORMED THE PERSON ARRESTED THAT REASONABLE TIME AND OPPORTUNITY WOULD BE ALLOWED HIM TO CONSULT COUNSEL AND OF HIS RIGHTS TO BAIL IF ALLOWED BY LAW.
- I ALSO INFORMED THE PERSON ARRESTED THAT IF HE IS NOT A CITIZEN OF THE UNITED STATES THAT HE MAY HAVE THE RIGHT TO CONTACT CONSULAR OFFICIALS FROM HIS COUNTRY AND THAT IF HE IS A CITIZEN OF CERTAIN COUNTRIES THAT CONSULAR OFFICIALS WOULD BE NOTIFIED OF THIS ARREST WITHOUT FURTHER ACTION REQUIRED ON HIS PART.

THE PERSON ARRESTED REPUSED TO STATE HIS CITIZENSHIP.

THE PERSON ARRESTED STATED THAT HE IS A CITIZEN OF THE UNITED STATES OF AMERICA.

THE PERSON ARRESTED STATED THAT HE IS A CITIZEN OF
A MANDATORY NOTIFICATION COUNTRY UNDER THE TERMS OF THE VIENNA CONVENTION
ON CONSULAR RELATIONS, AND THE COURT ADMONISHED HIM THAT CONSULAR
OFFICIALS OF HIS COUNTRY WOULD BE NOTIFIED OF THIS ARREST AS SOON AS
POSSIBLE.

A DISCRETIONARY NOTIFICATION COUNTRY.

THE PERSON ARRESTED THEN STATED THAT HE DID WISH NOTICE OF THIS ARREST TO BE SENT TO THE CONSULAR OFFICIALS OF HIS COUNTRY AND I INFORMED HIM THAT NOTICE WOULD BE SENT AS SOON AS POSSIBLE.

THE PERSON ARRESTED THEN STATED THAT HE DID NOT WISH NOTICE OF THIS ARREST TO BE SENT TO THE CONSULAR OFFICIALS OF HIS COUNTRY.

TRUE AND CORRECT
COPY OF ORIGINAL
FILED IN DALLAS
COUNTY CLERK'S OFFICE

PAGE 1 OF 2

BNO 03037986

LAI# 0776980

MB

DWLS/INV/BINSF

M-0321103M MM

m 41,000 10000

REMANDED TO CUSTODY OF DSO

IN WITNESS WHEREOF, I HAVE SUBSCRIBED MY NAME /THIS THE

AATH DAY OF MAY

, 2003

MAGISTRATE OF DALLAS COUNTY, TEXAS

PAGE 2 OF 2



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## W. RRANT OF ARREST AND DELENTION DALLAS COUNTY, TEXAS

SAIL

BOND AMOUNT: \$ Z502 10 2 6						
COURT NUMBER: WARR The State of Texas vs. ESCAMILLA JR., JOSE ALFONSO  MBU321100  ESCAMILLA JOSE ALI	FONSO JR					
Arrest Status: JAILED BOWD	DATE					
Race <u>H</u> Sex <u>M</u> DOB <u>09-03-78</u> HT <u>WT</u>	Assign WRAWHIG VI					
Res. Add.: 4045 WEISENBERGER DALLAS, TX 75212       Bus. Add.         Name of Bus.:       DL NO.: 19405037	TGIG NCIC					
Complainant: B. W. Thornton, Texas Highway Patrol, North Texas Tollway Authority Plano, TX 75	Rgn   5093					
Date of Offense: 03-13-03 Date Complaint Filed: 03-13-03	Post					
Warrant of Arrest Issued To: <u>DSO/DPS 4001 President George Bush Turnpike Plano, TX 75093</u> IN THE NAME OF THE STATE OF TEXAS TO ANY SHERIFF OR OTHER PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:						
YOU ARE HEREBY COMMANDED to take(instanter) the body of: ESCAMILLA J ALFONSO  hereinafter called the accused, and him safely keep so that he may be dealt with according to law, and accused to answer to the State of Texas for an offense against the laws of the said State, namely: D.W SUSP. M/B	E to hold the					
of which misdemeanor offense he is accused by written complaint, made under oath that has been prethat is by this reference incorporated herein for all purposes.	sented to me and					
WITNESS BY SIGNATURE THIS DAY OF	, 20 <u>03</u> .					
MAGISTRATE, IN AND FOR DALLAS	COUNTY, TEXAS					



## IN TO CRIMINAL COUNTY COURTS OF DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

NO.: M-0321103

VS.: ESCAMILLA JOSE ALFONSO JR

CHARGE: DWLS/INV .

INSTRUCTIONS RELATING TO PRELIMINARY INITIAL APPEARANCE

ON THIS DATE APPEARED ESCAMILLA JOSE ALFONSO, HEREINAFTER REFERRED TO AS DEFENDANT, WHO MAKES HIS INITIAL APPEARANCE IN CONNECTION WITH THE ABOVE NUMBERED CAUSE. AT THIS APPEARANCE A HEARING WAS HELD, AT WHICH THE FOLLOWING TOOK PLACE:

- 1. DEFENDANT WAS INFORMED AS PROVIDED IN ART, 15. 17 CCP
- 2. BAIL WAS SET IN THE AMOUNT OF \$

500.00

3. ALL MISDEMEANOR CHARGES ASSOCIATED WITH THIS ARREST ARE
ASSIGNED TO AND SHALL BE FILED IN LYNN BURSON COURT,
COURT OF CRIMINAL APPEALS 2

4. DEFENDANT IS INSTRUCTED TO APPEAR WITH COUNSEL, IN THE ABOVE NAMED COURT AT 09:00 AM ON MARCH 27 , 2003

COPIES OF THESE INSTRUCTIONS SERVED ON DEFENDANT AND TRANSPORTING OFFICER ON THIS 13TH DAY OF MARCH , 2003



#### IN T CRIMINAL COUNTY COURTS OF DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

NO.: M-0321102

VS.: ESCAMILLA JOSE ALFONSO JR

- CHARGE: DWI

INSTRUCTIONS RELATING TO PRELIMINARY INITIAL APPEARANCE

ON THIS DATE APPEARED ESCAMILLA JOSE ALFONSO , MEREINAFTER REFERRED TO AS DEFENDANT, WHO MAKES HIS INITIAL APPEARANCE IN CONNECTION WITH THE ABOVE NUMBERED CAUSE, AT THIS APPEARANCE A HEARING WAS HELD, AT WHICH THE FOLLOWING TOOK PLACE:

- 1. DEFENDANT WAS INFORMED AS PROVIDED IN ART, 15. 17 CCP
- 2. BAIL WAS SET IN THE AMOUNT OF \$

500,00

3. ALL MISDEMEANOR CHARGES ASSOCIATED WITH THIS ARREST ARE ASSIGNED TO AND SHALL BE FILED IN LYNN BURSON COURT, COURT OF CRIMINAL APPEALS 2

4. DEFENDANT IS INSTRUCTED TO APPEAR WITH COUNSEL, IN THE ABOVE NAMED COURT AT 09:00 AM ON MARCH 27 , 2003

COPIES OF THESE INSTRUCTIONS SERVED ON DEFENDANT AND TRANSPORTING OFFICER ON THIS 13TH DAY OF MARCH , 2003







BNO 03018869 LAIN

COUNTY OF DALLAS NO.

, OF DALLAS COUNTY, TEXAS, SITTING AS I, ALFRED CAMPOS JR.

, 2003, A MAGISTRATE, DO HEREBY CERTIFY THAT ON THIS, THE 13TH DAY OF MARCH

AT 111 COMMERCE, CITY OF DALLAS, DALLAS COUNTY, TEXAS AT 0812 AM, SITTING

APPEARED ESCAMILLA JOSE ALFONSO JR

H/M 09/03/78 BEING A PERSON

UNDER ARREST, AND THAT I HAVE IN CLEAR LANGUAGE INFORMED THE PERSON ARRESTED OF THE ACCUSATION AGAINST HIM AND OF ANY AFFIDAVIT FILED HEREWITH, AND OF HIS RIGHT TO RETAIN COUNSEL, AND OF HIS RIGHT TO THE APPOINTMENT OF COUNSEL IF HE IS INDIGENT AND CANNOT AFFORD COUNSEL, AND OF HIS RIGHT TO REMAIN SILENT, AND OF HIS RIGHT TO HAVE AN ATTORNEY PRESENT DURING ANY INTERVIEW WITH PEACE OFFICERS OR ATTORNEYS REPRESENTING THE STATE, AND OF HIS RIGHT TO TERMINATE THE INTERVIEW AT ANY TIME, AND OF HIS RIGHT TO HAVE AN EXAMINING TRIAL.

I INFORMED THE PERSON ARRESTED THAT HE DOES NOT HAVE TO MAKE ANY STATE-MENT AT ALL, AND THAT ANY STATEMENT MADE BY HIM MAY BE USED IN EVIDENCE AGAINST HIM ON HIS TRIAL FOR THE OFFENSE CONCERNING WHICH THE STATEMENT IS MADE.

I INFORMED THE PERSON ARRESTED THAT REASONABLE TIME AND OFFORTUNITY WOULD BE ALLOWED HIM TO CONSULT COUNSEL AND OF HIS RIGHTS TO BAIL IF ALLOWED BY LAW.

I ALSO INFORMED THE PERSON ARRESTED THAT IF HE IS NOT A CITIZEN OF THE UNITED STATES THAT HE MAY HAVE THE RIGHT TO CONTACT CONSULAR OFFICIALS FROM HIS COUNTRY AND THAT IF HE IS A CITIZEN OF CERTAIN COUNTRIES THAT CONSULAR OFFICIALS WOULD BE NOTIFIED OF THIS ARREST WITHOUT FURTHER ACTION REQUIRED ON HIS PART.

\_\_\_ THE PERSON ARRESTED REFUSED TO STATE HIS CITIZENSHIP.

THE PERSON ARRESTED STATED THAT HE IS A CITIZEN OF THE UNITED STATES OF AMERICA.

\_\_\_ THE PERSON ARRESTED STATED THAT HE IS A CITIZEN OF A MANDATORY NOTIFICATION COUNTRY UNDER THE TERMS OF THE VIENNA CONVENTION ON CONSULAR RELATIONS, AND THE COURT ADMONISHED HIM THAT CONSULAR OFFICIALS OF HIS COUNTRY WOULD BE NOTIFIED OF THIS ARREST AS SOON AS POSSIBLE.

\_\_\_ THE PERSON ARRESTED STATED THAT HE IS A CITIZEN OF \_\_\_\_\_

A DISCRETIONARY NOTIFICATION COUNTRY. \_\_\_ THE PERSON ARRESTED THEN STATED THAT HE DID WISH NOTICE OF THIS ARREST TO BE SENT TO THE CONSULAR OFFICIALS OF HIS COUNTRY AND I INFORMED HIM THAT NOTICE WOULD BE SENT AS SOON AS POSSIBLE.

\_\_\_ THE PERSON ARRESTED THEN STATED THAT HE DID NOT WISH NOTICE OF THIS ARREST TO BE SENT TO THE CONSULAR OFFICIALS OF HIS COUNTRY.

BNO 03018869 LAI#

ME DWI

ME

DWLS/INV

90321103 Z

050 REMANDED TO CUSTODY OF

, 2000

IN WITNESS WHEREOF, I HAVE SUBSCRIBED MY NAME THIS THE

antity day of MARCH

MAGISTRĂTE OF DALLAS COUNTY, TEXAS

PAGE 2 OF 2



STATE OF TEXAS IN THE COUNTY COURT OF APPEALS NO. 2 VS. Jose Escomilla Jr. DALLAS COUNTY, TEXAS STATE'S SENTENCE RECOMMENDATION

### TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES THE STATE OF TEXAS, by and inrough Dalias County Criminal
istrict Attorney BILL HILL, in the above styled and numbered cause and on this the
day of, 2003, makes this recommendation of punishment
onditioned on the defendant having no criminal record or pending cases other than those
ted below. This is not an announcement of readiness for trial.
HARGE: OWLS  EC: 120/1 + *500  Mr. Daxton Martin Assistant District Attorney State Bar Card Number 24035002
V.I.P. Life Skills Register as a Sex Offender C.A.T.S. Anti-theft Program Sex Offender Class Interlock Drug / Alcohol Evaluation DNA sample Days as a Condition Urinalysis Testing X Judge's Conditions Repeat Offender Psychiatric Evaluation Stay Away Order Proper License Anger Counseling Affirmative Finding of Family Violence Valid Insurance GED / H.S. Diploma Family Violence Counseling Clerance Letter Forfeit Weapon + WEST Prog. Restitution of \$  LIOR RECORD AND PENDING CASES
Pleaded 3 months from above date.
s a condition of this plea bargain, the Defendant will submit to fingerprinting by the Clerk of the Court.  his Recommendation is a Pre-Trial Recommendation.

### SHERIFF CASH RECEIPT WRITER

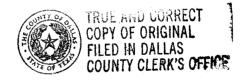
FCCTOT NUMBER DROILDO RECETPT DATE DR 13 DR AMOUNT DOCCOOD DD

NAME ENTERED ESC	TLLA J		٦ منفعي	NAME TYPE DF
LN	ARC RS	DOB	CAZE\BOND	CT CHARGE DISP
OJ ESCAMILLA JOSE	WM	090378	F-9652623	FI THEFT 1,500 R& JGSA
OZ ESCAMILLA JOSE ALFONSO	шm	090378	WB073PP35	MH EVADE ARREST/D PGBC
OZNOJJA JOSE ALFONSO	WΜ	090378	F-9755456	MZIC PASW HORP ZZOP IT
D4 ESCAMILLA JOSE ALFONSO	JR WM	090378	WB0351105	MM DWI
OS ESCAMILLA JOSE ALFONSO	JR WM	090378	WB0357703	MM DMFZ/INA
UP ESCAMILLA JOSE ALEONSO	JR WM	090378	F-0020647	FS POSS CS INT DE PGJG

\*\*\* END OF RECORDS RETRIEVED \*\*\*

LINE NO OL

; BNCR



## W RRANT OF ARREST AND DELLAS COUNTY, TEXAS

☐ FELONY ☐ MISDEMEANOR
BOND AMOUNT: \$ 2500
COURT NUMBER: WARRANT NUMBER: M03-21103
The State of Texas vs. ESCAMILLA JR., JOSE ALFONSO
Arrest Status: JAILED
Race <u>H</u> Sex <u>M</u> DOB <u>09-03-78</u> HT <u>WT</u>
Res. Add.: 4045 WEISENBERGER DALLAS, TX 75212 Bus. Add
Name of Bus.: DL NO.: 19405037
Complainant: B. W. Thornton, Texas Highway Patrol, North Texas Tollway Authority Plano, TX 75093
Date of Offense: 03-13-03 Date Complaint Filed: 03-13-03
Warrant of Arrest Issued To: DSO/DPS 4001 President George Bush Turnpike Plano, TX 75093
IN THE NAME OF THE STATE OF TEXAS TO ANY SHERIFF OR OTHER PEACE OFFICER OF THE STATE OF TEXAS – GREETINGS:
YOU ARE HEREBY COMMANDED to take(instanter) the body of: ESCAMILLA JR., JOSE ALFONSO
hereinafter called the accused, and him safely keep so that he may be dealt with according to law, and to hold the accused to answer to the State of Texas for an offense against the laws of the said State, namely: D.W.L.S. DEPT. SUSP. M/B
of which misdemeanor offense he is accused by written complaint, made under oath that has been presented to me and
that is by this reference incorporated herein for all purposes.
WITNESS BY SIGNATURE THIS O/ DAY OF Apric, 2003.



Case 3:06-cv-02248-O -BL Document 27-5 Filed 05/05/08 Rage 39 of 40 PageID 778

EC			
DEFENDANT	Escamilla, Jose Alfonso Jr W M	M 09031978 CHARGE DWLS/INV	
AKA:			
Address	4045 Weisenberger, Dallas, Tx	LOCATION DSO	
FILING AGEN	CY TX0570000 DATE FILED Apri	ril 10, 2003 COURT (L)	177
COMPLAINA	VT Thornton, B	MB0321103 M VT#:/	
C/C			
SERVICE NO.	ARREST NO.	I. D. NO.	

### **INFORMATION**

In the Name and by the Authority of the State of Texas.

NOW COMES THE CRIMINAL DISTRICT ATTORNEY of Dallas County, State of Texas, and presents

in and to the County Criminal Court

of Dallas County, State aforesaid, that one

Escamilla, Jose Alfonso Jr

hereinafter styled Defendant, heretofore, on or about the 13th day of March A.D., 2003

in the County of Dallas and State of Texas, did unlawfully

intentionally and knowingly drive and operate a motor vehicle on a public street and highway there situated when defendant's driving privilege was then and there suspended by the Texas Department of Public Safety, under the authority and provisions of Sec. 521.343, Texas Transportation Code,

against the peace and dignity of the state.

VINUOD SAJJAU COUNTY CLERK

Criminal District Attorney of Dallas County, Texas

80:8 MA 41 A94 6003

**BLUE** 

SERVICE NO.	ARREST NO	).		I. D. NO.
C/C				
COMPLAINAN	NT Thornton, B			MB0321103/V[ VT#! /
FILING AGE	NC TX0570000 DATE FILEI	April	10, 2003	court Upp t
ADDRESS	4045 Weisenberger, Dallas, Tx			LOCATION DSO
AKA:		-		
DEFENDANT	Escamilla, Jose Alfonso Jr	W M	09031978	CHARGE DWLS/INV
EC				

### **AFFIDAVIT**

In the Name and by the Authority of the State of Texas.

PERSONALLY APPEARED before me the undersigned authority this affiant, who after being by me duly sworn, deposes and says your Affiant has good reason to believe and does believe that one

#### Escamilla, Jose Alfonso Jr

13th day of March A.D., 2003 hereinafter styled Defendant, heretofore, on or about the in the County of Dallas and State of Texas, did unlawfully

intentionally and knowingly drive and operate a motor vehicle on a public street and highway there situated when defendant's driving privilege was then and there suspended by the Texas Department of Public Safety, under the authority and provisions of Sec. 521.343, Texas Transportation Code,



Against the peace and dignity of the state.

Sworn to and subscribed before me this the

1/ H day of HPRIC

Assistant Criminal District Attorney of

Dallas County, Texas

Affiant.